

**FRIDAY, APRIL 22, 2016**

**SIXTY-FIFTH LEGISLATIVE DAY**

The House met at 10:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Rep. M. White.

Representative M. White led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 81

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wirgau, Zachary, Madam Speaker Harwell -- 81

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Lundberg; military service

Representative Kumar

Representative Hazlewood

Representative Lynn; personal

Representative Hawk; personal

Representative Powers

Representative Terry

Representative Williams

Representative Favors

Representative Womick  
Representative Farmer

Representative Holsclaw

### **PRESENT IN CHAMBER**

Reps. Daniel, Pitts, C. Sexton and Todd were recorded as being present in the Chamber.

### **SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 306** Reps. Johnson, Armstrong, Rogers, Pody, Spivey, Turner, Sparks, Matheny, Clemmons and Shepard as prime sponsors.

**House Resolution No. 312** Reps. Akbari, Powell, Gilmore, Parkinson, Love, Fitzhugh, Camper, Turner and Armstrong as prime sponsors.

**House Joint Resolution No. 1074** Reps. Moody, Kane, Zachary, Carter, Littleton, Jenkins, Eldridge, Halford, Rogers, Matheny, Pody, Daniel, Goins, Lollar, Howell, Hulsey, Coley, J. Sexton, Weaver, Alexander, Faison, D. White, Keisling as prime sponsors.

### **SPONSORS REMOVED**

On Motion, Reps. Dunlap, Hardaway, Parkinson, Pitts and Powell were removed as sponsors of **House Bill No. 2156**.

### **RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 22, 2016:

**House Resolution No. 306** -- Memorials, Death - John Jay Hooker. by \*Hardaway.

**House Resolution No. 307** -- Memorials, Recognition - Orange Mound, 125th anniversary. by \*Hardaway.

**House Resolution No. 308** -- Memorials, Academic Achievement - Noah Geltzer, Salutatorian, Hillwood High School. by \*Clemmons.

**House Resolution No. 309** -- Memorials, Recognition - Jon Zaccaro, Class President, Hillwood High School. by \*Clemmons.

**House Resolution No. 310** -- Memorials, Academic Achievement - Andrijana Bilbija, Valedictorian, Hillwood High School. by \*Clemmons.

**House Resolution No. 311** -- Memorials, Death - Larry Edward Hager. by \*Jernigan.

**House Joint Resolution No. 1072** -- Memorials, Interns - Leslye Simone Williams. by \*Hardaway.

### **RULES SUSPENDED**

Rep. McCormick moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 1073 out of order, which motion prevailed.

**House Joint Resolution No. 1073** -- General Assembly, Adjournment - Adjourns 109th General Assembly sine die at close of business on April 22, 2016. by \*McCormick.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. McCormick moved that the House adopt House Joint Resolution No. 1073.

### **EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Byrd

### **RULES SUSPENDED, CONTINUED**

Rep. Beck moved the previous question on House Joint Resolution No. 1073, which motion failed by the following vote:

Ayes .....	43
Noes.....	36

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Camper, Carr, Casada, Clemmons, Doss, Fitzhugh, Forgety, Gilmore, Gravitt, Hardaway, Hicks, Hulsey, Jernigan, Johnson, Jones, Lamberth, Love, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Pitts, Powell, Ramsey, Sanderson, Shaw, Shepard, Sparks, Stewart, Swann, Towns, Travis, Turner, White D., Zachary, Madam Speaker Harwell -- 43

Representatives voting no were: Alexander, Butt, Calfee, Carter, Coley, Cooper, Daniel, Dunlap, Dunn, Durham, Eldridge, Faison, Goins, Halford, Hill T., Holt, Jenkins, Kane, Keisling, Littleton, Lollar, Matheny, Matlock, Moody, Pody, Ragan, Rogers, Sargent, Sexton J., Smith, Spivey, Todd, Van Huss, Weaver, White M., Windle -- 36

**ORDER OF THE DAY**

Rep. McCormick moved to withdraw his motion to adopt House Joint Resolution No. 1073 and return to the Calendar, which motion prevailed.

**MESSAGE FROM THE SENATE**  
**April 22, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No.(s) 47 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

**\*Senate Bill No. 47** -- Taxes, Income - As introduced, contingent upon revenue growth exceeding three percent in any fiscal year, reduces the Hall income tax until it reaches zero percent; for each rate reduction, increases the percentage of tax proceeds returned to local governments until it reaches 100 percent and decreases the percentage returned to the general fund until it reaches zero percent. - Amends TCA Title 67, Chapter 2. by \*Green, \*Yager, \*Gresham, \*Ketron, \*Tracy, \*Bell, \*Massey, \*Crowe, \*Gardenhire, \*Bowling, \*Bailey, \*Jackson, \*Beavers, \*Roberts, \*Watson, \*Ramsey, \*Kelsey, \*Norris, \*Haile, \*Briggs, \*Dickerson, \*Overbey, \*Hensley, \*Niceley, \*Southerland, \*Stevens.

Rep. Dunn moved that the House adopt the Minority Conference Committee Report and make it the action of the House.

**MINORITY CONFERENCE COMMITTEE REPORT ON**  
**SENATE BILL NO. 47**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 47 (House Bill No. 813) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-2-102, is amended by deleting the language "An income tax in the amount of six percent (6%) per annum" and substituting instead the language "An income tax in the amount of five percent (5%) per annum".

SECTION 2. Tennessee Code Annotated, Section 67-2-119, is amended by deleting the language "at the rate of six percent (6%) per annum" wherever it appears and substituting instead the language "at the rate of five percent (5%) per annum".

SECTION 3. Tennessee Code Annotated, Title 67, Chapter 2, is amended by adding the following new section:

67-2-124.

(a) The reduction to the rate of tax made by this act shall not be construed to absolve any taxpayer of liability for any tax duly levied by this chapter, during a tax year that began prior to January 1, 2016.

(b) It is the legislative intent that the tax be reduced by one percent (1%) annually through enactments of general bills beginning with the first annual session of the 110th General Assembly.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to tax years beginning on or after January 1, 2016.

/s/ Representative Bill Dunn

Rep. Casada moved to table the Minority Conference Committee Report on Senate Bill No. 47, which motion prevailed by the following vote:

Ayes .....	48
Noes.....	33
Present and not voting.....	4

Representatives voting aye were: Brooks K., Butt, Calfee, Carter, Casada, Coley, Daniel, Doss, Dunlap, Durham, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hicks, Hill T., Holt, Howell, Johnson, Kane, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McManus, Mitchell, Moody, Pody, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Sparks, Spivey, Todd, Travis, Weaver, White D., Windle, Zachary, Madam Speaker Harwell -- 48

Representatives voting no were: Akbari, Armstrong, Beck, Brooks H., Clemmons, Cooper, Dunn, Fitzhugh, Gilmore, Hardaway, Hill M., Hulsey, Jenkins, Jernigan, Jones, Keisling, Love, McDaniel, Miller, Parkinson, Pitts, Powell, Ragan, Sanderson, Shaw, Shepard, Smith, Stewart, Towns, Turner, Van Huss, White M., Wirgau -- 33

Representatives present and not voting were: Alexander, Camper, Carr, Swann -- 4

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to table the Minority Conference Committee Report on **Senate Bill No. 47** and have this statement entered in the Journal: Rep. Doss.

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**MESSAGE CALENDAR, CONTINUED**

Rep. Sargent moved that the House adopt the Conference Committee Report and make it the action of the House.

**CONFERENCE COMMITTEE REPORT ON  
SENATE BILL NO. 47**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 47 (House Bill No. 813) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-2-102, is amended by deleting the language "An income tax in the amount of six percent (6%) per annum" and substituting instead the language "An income tax in the amount of five percent (5%) per annum".

SECTION 2. Tennessee Code Annotated, Section 67-2-119, is amended by deleting the language "at the rate of six percent (6%) per annum" wherever it appears and substituting instead the language "at the rate of five percent (5%) per annum".

SECTION 3. Tennessee Code Annotated, Title 67, Chapter 2, is amended by adding the following new section:

67-2-124.

(a) The reduction to the rate of tax made by this act shall not be construed to absolve any taxpayer of liability for any tax duly levied by this chapter, during a tax year that began prior to January 1, 2016.

(b) It is the legislative intent that the tax be reduced by one percent (1%) annually through enactments of general bills beginning with the first annual session of the 110th General Assembly.

(c) The income tax levied by this chapter is eliminated for tax years that begin on or after January 1, 2022; provided, however, this subsection (c) shall not be construed to absolve any taxpayer of liability for any tax duly levied by this section, during a tax year that began prior to January 1, 2022.

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SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to tax years beginning on or after January 1, 2016.

/s/ Senator Randy McNally

/s/ Representative Glen Casada

/s/ Senator Bo Watson

/s/ Representative Gerald McCormick

/s/ Senator Mark Norris

/s/ Representative David Shepard

/s/ Senator Mark Green

/s/ Representative Gary Hicks

/s/ Senator Reginald Tate

Rep. Todd moved the previous question on the Conference Committee Report on Senate Bill No. 47, which motion prevailed by the following vote:

Ayes .....	56
Noes.....	23

Representatives voting aye were: Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hicks, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton J., Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., Windle, Wirgau, Zachary, Madam Speaker Harwell -- 56

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunn, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Miller, Parkinson, Pitts, Sanderson, Shaw, Shepard, Smith, Stewart, Towns, Turner, White M. -- 23

Rep. Sargent moved that the House adopt the Conference Committee Report on Senate Bill No. 47 and make it the action of the House, which motion prevailed by the following vote:

Ayes .....	66
Noes.....	17

Representatives voting aye were: Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Durham, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McManus, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Windle, Wirgau, Zachary, Madam Speaker Harwell -- 66

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunn, Fitzhugh, Gilmore, Hardaway, Jones, McDaniel, Miller, Parkinson, Stewart, Towns, Turner -- 17

A motion to reconsider was tabled.

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### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the motion to adopt Conference Committee Report on **Senate Bill No. 47** and have this statement entered in the Journal: Rep. Alexander.

### MESSAGE FROM THE SENATE

April 22, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1796 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

### HOUSE ACTION ON SENATE MESSAGES

**\*Senate Bill No. 1796** -- Taxes, Ad Valorem - As introduced, requires payments made under the property tax relief program to disabled veterans to be based on a sliding scale of income; removes the income limit for disabled veterans; requires the property value on which property tax relief payments are calculated for senior citizens, persons with low income, or disabled veterans to be raised annually in accordance with inflation. - Amends TCA Title 67, Chapter 5. by \*Overbey, \*McNally, \*Norris, \*Gresham, \*Green, \*Watson, \*Bailey, \*Beavers, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Massey, \*Niceley, \*Roberts, \*Southerland, \*Stevens, \*Tate, \*Tracy, \*Yager, \*Yarbro, \*Ramsey.

Rep. Camper moved that the House adopt the Minority Conference Committee Report and make it the action of the House.

### MINORITY CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 1796

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1796 (House Bill No. 2156) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 67-5-704, is amended by deleting subdivision (a)(2) and subsection (j).

SECTION 2. Tennessee Code Annotated, Section 67-5-702, is amended by deleting the language "twenty-three thousand dollars (\$23,000)" wherever it appears and substituting instead the language "twenty-three thousand five hundred dollars (\$23,500)".

SECTION 3. Tennessee Code Annotated, Section 67-5-703, is amended by deleting the language "twenty-three thousand dollars (\$23,000)" wherever it appears and substituting instead the language "twenty-three thousand five hundred dollars (\$23,500)".

SECTION 4. Tennessee Code Annotated, Section 67-5-704(a), is amended by deleting the subsection and substituting instead the following:

(a)

(1) There shall be paid from the general funds of the state to certain disabled veterans the amount necessary to pay or reimburse such taxpayers for all or part of the local property taxes paid for a given tax year on that property that the disabled veteran owned and used as the disabled veteran's residence as provided in this section.

(2) Such reimbursement shall be paid on the first one hundred seventy-five thousand dollars (\$175,000) of the full market value of such property.

(3) In determining the amount of relief to a taxpayer, the effective assessed value on the first one hundred seventy-five thousand dollars (\$175,000) of full market value shall be multiplied by a tax rate that has been adjusted to reflect the relationship between appraised value and market value in that jurisdiction, as determined by the state board of equalization.

(4) The effective assessed value shall be determined by multiplying the full market value of the property up to one hundred seventy-five thousand dollars (\$175,000) by twenty-five percent (25%).

(5) The full market value of the property shall be determined by adjusting the appraised value of the property as shown on the records of the assessor of property by a factor that reflects the relationship between appraised value and market value in that jurisdiction, as determined by the state board of equalization.

SECTION 5. Tennessee Code Annotated, Section 67-5-702, is amended by deleting the language "twenty-three thousand five hundred dollars (\$23,500)" wherever it appears and substituting instead the language "twenty-five thousand dollars (\$25,000)".

SECTION 6. Tennessee Code Annotated, Section 67-5-703, is amended by deleting the language "twenty-three thousand five hundred dollars (\$23,500)" wherever it appears and substituting instead the language "twenty-five thousand dollars (\$25,000)".

SECTION 7. Sections 1 through 3 of this act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to tax year 2016. Sections 4 through 6 of this act shall take effect January 1, 2017, the public welfare requiring it, and shall apply to tax year 2017 and tax years thereafter.

/s/ Representative Karen Camper

Rep. Casada moved to table the Minority Conference Committee Report on Senate Bill No. 1796, which motion failed by the following vote:

Ayes .....	34
Noes.....	45
Present and not voting.....	3

Representatives voting aye were: Brooks H., Brooks K., Carr, Carter, Casada, Coley, Daniel, Doss, Eldridge, Goins, Gravitt, Howell, Hulsey, Jenkins, Kane, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Pody, Ramsey, Sargent, Sexton J., Spivey, Todd, Travis, Weaver, Wirgau, Zachary -- 34

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Butt, Calfee, Camper, Clemmons, Cooper, Dunlap, Durham, Faison, Fitzhugh, Forgety, Gilmore, Halford, Hardaway, Hicks, Hill M., Hill T., Holt, Jernigan, Johnson, Jones, Keisling, Love, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Reedy, Rogers, Sanderson, Shaw, Shepard, Smith, Sparks, Stewart, Swann, Towns, Turner, Van Huss, Windle -- 45

Representatives present and not voting were: Dunn, Ragan, White M. -- 3

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on the motion to table the Minority Conference Committee Report on **Senate Bill No. 1796** and have this statement entered in the Journal: Rep. Halford.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on the motion to table the Minority Conference Committee Report on **Senate Bill No. 1796** and have this statement entered in the Journal: Rep. D. White.

### RECESS MOTION

Rep. Casada moved that the House stand in recess for 30 minutes, which motion prevailed.

### RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

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**ROLL CALL DISPENSED**

On motion of Rep. McCormick the roll call was dispensed with.

**HOUSE ACTION ON SENATE MESSAGES, CONTINUED**

Rep. Fitzhugh moved the previous question on the Minority Conference Committee Report on **Senate Bill No. 1796**, which motion failed by the following vote:

Ayes .....	25
Noes.....	43

Representatives voting aye were: Armstrong, Beck, Brooks H., Camper, Clemmons, Cooper, Dunlap, Fitzhugh, Gilmore, Hardaway, Hulsey, Jernigan, Keisling, Love, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Stewart, Towns -- 25

Representatives voting no were: Alexander, Brooks K., Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Eldridge, Goins, Gravitt, Halford, Hicks, Hill M., Hill T., Holt, Howell, Jenkins, Kane, Littleton, Marsh, Matheny, Matlock, McCormick, McManus, Pody, Ramsey, Rogers, Sargent, Sexton J., Smith, Sparks, Spivey, Swann, Todd, Travis, Turner, Van Huss, White D., White M., Zachary, Madam Speaker Harwell -- 43

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on the previous question on the Minority Conference Committee Report on **Senate Bill No. 1796** and have this statement entered in the Journal: Rep. Turner.

**HOUSE ACTION ON SENATE MESSAGES, CONTINUED**

Rep. Casada moved to table the Minority Conference Committee Report on Senate Bill No. 1796, which motion prevailed by the following vote:

Ayes .....	51
Noes.....	27

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hicks, Hill M., Hill T., Howell, Hulsey, Jenkins, Kane, Lamberth, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Pody, Ragan, Ramsey, Rogers, Sargent, Sexton J., Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White M., Wirgau, Zachary, Madam Speaker Harwell -- 51

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Gilmore, Hardaway, Holt, Jernigan, Johnson, Keisling, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Stewart, Towns, Turner, White D., Windle  
-- 27

Rep. Ragan moved that the House adopt the Conference Committee Report on Senate Bill No. 1796 and make it the action of the House.

**CONFERENCE COMMITTEE REPORT ON  
SENATE BILL NO. 1796**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1796 (House Bill No. 2156) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-704, is amended by deleting subdivision (a)(2) and subsection (j).

SECTION 2. Tennessee Code Annotated, Section 67-5-702, is amended by deleting the language "twenty-three thousand dollars (\$23,000)" wherever it appears and substituting instead the language "twenty-three thousand five hundred dollars (\$23,500)".

SECTION 3. Tennessee Code Annotated, Section 67-5-703, is amended by deleting the language "twenty-three thousand dollars (\$23,000)" wherever it appears and substituting instead the language "twenty-three thousand five hundred dollars (\$23,500)".

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Doug Overbey

/s/ Representative Gerald McCormick

/s/ Senator Mark Norris

/s/ Representative Glen Casada

/s/ Senator Jack Johnson

/s/ Representative Jason Zachary

Rep. Todd moved the previous question, which motion prevailed by the following vote:

Ayes .....	53
Noes.....	25
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hicks, Hill M., Hill T., Howell, Hulsey, Jenkins, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ramsey, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Todd, Travis, Van Huss, White D., White M., Wirgau, Zachary, Madam Speaker Harwell -- 53

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Dunlap, Dunn, Fitzhugh, Hardaway, Holt, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Shaw, Shepard, Sparks, Stewart, Towns, Turner, Weaver, Windle -- 25

Representatives present and not voting were: Ragan -- 1

Rep. Ragan moved that the House adopt the Conference Committee Report on **Senate Bill No. 1796** and make it the action of the House, which motion prevailed by the following vote:

Ayes .....	58
Noes.....	18
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hicks, Hill T., Howell, Hulsey, Jenkins, Jernigan, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Wirgau, Zachary, Madam Speaker Harwell -- 58

Representatives voting no were: Akbari, Armstrong, Camper, Clemmons, Fitzhugh, Hardaway, Holt, Johnson, Miller, Mitchell, Parkinson, Pitts, Reedy, Shaw, Stewart, Towns, Turner, Windle -- 18

Representatives present and not voting were: Beck -- 1

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the motion to adopt the Conference Committee Report on **Senate Bill No. 1796** and have this statement entered in the Journal: Rep. M. Hill.

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "no" to "aye" on the motion to adopt the Conference Committee Report on **Senate Bill No. 1796** and have this statement entered in the Journal: Reps. Holt and Reedy.

### **HOUSE ACTION ON SENATE MESSAGES**

**\*House Bill No. 2139** -- Education - As introduced, requires all LEA personnel to verify that the LEA's policy on use of the Internet has been read prior to accepting an employment contract or at the renewal of an employment contract. - Amends TCA Title 49. by \*Brooks K, \*Hardaway.

Rep. K. Brooks moved that the House adopt the Conference Committee Report on House Bill No. 2139 and make it the action of the House.

### **CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 2139**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2139 (Senate Bill No. 2514) has met and recommends that all amendments be deleted:

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 13, is amended by adding the following language as a new section:

49-13-143.

(a) Each LEA that is a chartering authority, the achievement school district (ASD), and the state board of education shall publish an annual charter school authorizer performance report. Each report shall contain information on the performance of the chartering authority's schools for the immediately prior school year and fiscal year. The report shall include:

(1) Data on the academic performance of the schools that the chartering authority oversees. The report shall include data from the state accountability system on each school's academic performance and shall indicate how well each school performed against the goals set forth in its performance framework and charter school agreement. The report, at a chartering authority's

discretion, may include performance data based on the authority's own adopted performance management or accountability system for its schools. In any event, a chartering authority shall report the following data for the charter schools it authorizes:

(A) The Tennessee Value-Added Assessment System (TVAAS) schoolwide composite-level score 1-5 for each school;

(B) The TVAAS schoolwide composite-index score for each school;

(C) The percentage of students scoring proficient and advanced in mathematics, reading/language arts, and science on the Tennessee comprehensive assessment program (TCAP) tests, including the TNReady assessment, in each school;

(D) Schools that are identified as reward, focus, or priority schools;

(E) When applicable, the ACT and SAT scores of students; and

(F) When applicable, graduation rates;

(2) The record of compliance with objective, defined financial, and operations requirements for each charter school authorized by the chartering authority;

(3) Key student data for each charter school authorized by the chartering authority, including:

(A) Overall school enrollment;

(B) School enrollment by subgroup, including, but not limited to:

(i) Students receiving special education;

(ii) Students eligible for free and reduced price lunch; and

(iii) English language learners;

(C) School attrition as computed by the formula in which the number of students leaving the school during the school year is the numerator and the denominator is the sum of the number of students enrolled at the beginning of the school year and the number of students enrolling in the school during the school year;

(D) School attrition for subgroups of students computed using the formula in subdivision (a)(3)(C) as modified for a subgroup;

(E) Performance on end of course evaluations; and

(F) School expulsion and suspension rates; and

(4) Financial information, including per pupil BEP funds paid to charter schools, the numbers used to make the per pupil calculation for the fiscal year, and any local capital outlay funds distributed for charter school capital projects as a percentage of the chartering authority's capital funding for the fiscal year. A chartering authority shall include in its report:

(A) Each school's final weighted average daily membership (ADM) for BEP payment purposes;

(B) The chartering authority's final year weighted ADM;

(C) The amount of revenue attributable to charter schools for the fiscal year;

(D) Any local capital outlay funding that was distributed to charter school projects; and

(E) If the chartering authority is an LEA, the total local capital outlay funding from the local governing body that was allocated to the LEA.

(b)

(1) The state board of education shall create a model performance framework that clearly sets forth the academic and operation performance indicators, measures, and metrics that shall guide an authorizer's evaluations of each of the public charter schools it authorized. The performance framework indicators, measures, and metrics shall, at a minimum, include:

(A) Student proficiency, including, but not limited to, performance on state standardized assessments;

(B) Student growth as represented by the Tennessee Value-Added Assessment System (TVAAS);

(C) Achievement gaps between major student subgroups;

(D) Financial performance and sustainability; and



(E) Governing body performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter agreement.

(2) Authorizers shall, at a minimum, adopt the model performance framework.

(c) The annual authorizer performance reports shall be transmitted to the governor, the general assembly, the state board of education, if the chartering authority is not the state board, and the department of education by December 1 of the school year following the school year for which the report is made. The department shall post all authorizer performance reports on its web site for public viewing.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 13, is further amended by adding the following language as a new section:

49-13-144.

(a) As used in this section, "chartering authority" includes only LEAs that authorize charter schools and the achievement school district (ASD).

(b) The state board of education shall serve in an advisory capacity for chartering authorities.

(c) In its advisory capacity, the state board shall:

(1) Advise chartering authorities and their charter schools concerning the overall academic performance of the charter schools each authority oversees;

(2) Recommend standards for effectively carrying out their authorizing responsibilities. The authorizing responsibilities for which the state board shall recommend standards shall include:

(A) Adopting high-quality charter school authorizing practices;

(B) Reviewing charter school applications;

(C) Contracting with charter schools;

(D) Overseeing and monitoring charter schools;

(E) Reviewing renewal applications; and

(F) Revoking and closing charter schools, when necessary; and

(3) Verify that financial payments to charter schools are accurate and timely.

(d) The state board, at its discretion, may contract with a third party to assist it in its advisory capacity and to conduct reviews and evaluations of chartering authorities. Any third party with which the state board contracts shall be an established and respected entity that is knowledgeable in high-quality charter school authorizing practices.

(e) The state board may perform an initial review of a new chartering authority within two (2) years after the establishment of the chartering authority's first charter school. After the initial review of a chartering authority or for chartering authorities in existence on the effective date of this act, the state board may conduct a review at any time it finds a review to be appropriate or necessary.

(f) After completing a review of a chartering authority, the state board shall issue a written authorizer performance report on the overall performance of the chartering authority's schools and on the chartering authority's performance with respect to authorizing standards. The state board shall also review all performance standards of the charter school authorized by a chartering authority. A copy of a report shall be transmitted to the chartering authority that was reviewed and its charter schools, the department of education, the education committee of the senate, and the education instruction and programs committee of the house of /s/ Representatives. The review shall be posted on the state board's web site for the benefit of the public.

SECTION 3. Tennessee Code Annotated, Section 49-13-108(f), is amended by deleting the language "are encouraged to adopt" and substituting instead the language "shall adopt".

SECTION 4. This act shall take effect July 1, 2016, the public welfare requiring it.

/s/ Senator Dolores Gresham

/s/ Representative Kevin Brooks

/s/ Senator Todd Gardenhire

/s/ Representative Harry Brooks

/s/ Senator Reginald Tate

#### **CHAIR TO SPEAKER PRO TEMPORE**

Speaker Harwell relinquished the gavel to Speaker Pro Tempore Johnson.

#### **CHAIR TO SPEAKER HARWELL**

Speaker Pro Tempore Johnson relinquished the gavel to Speaker Harwell.

#### **HOUSE ACTION ON SENATE MESSAGES, CONTINUED**

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Rep. Marsh moved the previous question, which motion failed by the following vote:

Ayes ..... 39  
Noes..... 38

Representatives voting aye were: Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Coley, Daniel, Doss, Durham, Eldridge, Forgety, Goins, Halford, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Johnson, Littleton, Lollar, Marsh, McCormick, McDaniel, McManus, Ragan, Ramsey, Sargent, Sexton J., Swann, Todd, Travis, Van Huss, White D., Zachary, Madam Speaker Harwell -- 39

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Faison, Fitzhugh, Gilmore, Hardaway, Jernigan, Kane, Keisling, Love, Matheny, Matlock, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Reedy, Rogers, Sanderson, Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Towns, Turner, Weaver, White M. -- 38

After further discussion, Rep. Parkinson moved the previous question, which motion prevailed.

Rep. K. Brooks moved that the House adopt the Conference Committee Report on **House Bill No. 2139** and make it the action of the House, which motion failed by the following vote:

Ayes ..... 9  
Noes..... 69

Representatives voting aye were: Brooks H., Brooks K., Dunn, Faison, Howell, Johnson, Marsh, Sexton J., Travis -- 9

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Butt, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Durham, Eldridge, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hicks, Hill M., Hill T., Holt, Hulsey, Jenkins, Jernigan, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Reedy, Rogers, Sanderson, Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Turner, Van Huss, Weaver, White M., Wirgau, Zachary -- 69

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to adopt the Conference Committee Report on **Senate Bill No. 2139** and have this statement entered in the Journal: Rep. Travis.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on the motion to adopt the Conference Committee Report on **Senate Bill No. 2139** and have this statement entered in the Journal: Rep. Windle.

**MESSAGE FROM THE SENATE**  
**April 22, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2481 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**HOUSE ACTION ON SENATE MESSAGES**

**Senate Bill No. 2481** -- Unemployment Compensation - As introduced, requires the commissioner of labor and workforce development to publish the report concerning the condition of the unemployment trust fund during the first week of January and the first week of July of each year on the department's web site. - Amends TCA Title 50, Chapter 7. by \*Green.

Rep. Holt moved that the House adopt the Conference Committee Report on Senate Bill No. 2481 and make it the action of the House.

**CONFERENCE COMMITTEE REPORT ON**  
**SENATE BILL NO. 2481**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 2481 (House Bill No. 2512) has met and recommends that the following amendments be deleted: House Amendment #1 (drafting code #13391) and House Amendment #3 (drafting code #16193).

The Committee further recommends that the following amendment be adopted: Senate Amendment #3 (drafting code 16337).

/s/ Senator Jack Jonhson

/s/ Representative Susan Lynn

/s/ Senator Mark Green

/s/ Representative Andy H. Holt

/s/ Senator Becky Massey

/s/ Representative Johnnie Turner

Rep. Coley moved the previous question, which motion prevailed.

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Rep. Holt moved that the House adopt the Conference Committee Report on **Senate Bill No. 2481** and make it the action of the House, which motion prevailed by the following vote:

Ayes ..... 64  
Noes..... 19

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Cooper, Daniel, Dunn, Durham, Eldridge, Faison, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Windle, Wirgau, Zachary -- 64

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Doss, Dunlap, Gilmore, Hardaway, Love, Mitchell, Parkinson, Pitts, Shaw, Shepard, Stewart, Towns, Turner, Madam Speaker Harwell -- 19

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on the motion to adopt Conference Committee Report on **Senate Bill No. 2481** and have this statement entered in the Journal: Rep. Dunlap.

#### CONSENT CALENDAR

**House Resolution No. 306** -- Memorials, Death - John Jay Hooker. by \*Hardaway.

**House Resolution No. 307** -- Memorials, Recognition - Orange Mound, 125th anniversary. by \*Hardaway.

**House Resolution No. 308** -- Memorials, Academic Achievement - Noah Geltzer, Salutatorian, Hillwood High School. by \*Clemmons.

**House Resolution No. 309** -- Memorials, Recognition - Jon Zaccaro, Class President, Hillwood High School. by \*Clemmons.

**House Resolution No. 310** -- Memorials, Academic Achievement - Andrijana Bilbija, Valedictorian, Hillwood High School. by \*Clemmons.

**House Resolution No. 311** -- Memorials, Death - Larry Edward Hager. by \*Jernigan.

**House Joint Resolution No. 1072** -- Memorials, Interns - Leslye Simone Williams. by \*Hardaway.

**FRIDAY, APRIL 22, 2016 – SIXTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Hardaway moved that all members voting aye on House Resolution No. 307 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Joint Resolution No. 1072 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 82  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Zachary, Madam Speaker Harwell -- 82

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Holt moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 1074 out of order, which motion prevailed.

**House Joint Resolution No. 1074** -- General Assembly, Recess & Reconvene - Recesses the 109th General Assembly on April 22, 2016, and reconvenes both houses at 10:00 am on May 23, 2016. by \*Matlock, \*Holt, \*Butt, \*Spivey, \*Calfee, \*Reedy, \*Hill M, \*Van Huss, \*Hill T.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Holt moved to adopt House Joint Resolution No. 1074.

Rep. K. Brooks moved to table House Joint Resolution No. 1074, which motion prevailed by the following vote:

Ayes ..... 46

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Noes..... 33

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Calfee, Carr, Carter, Casada, Clemmons, Cooper, Doss, Eldridge, Fitzhugh, Forgety, Gilmore, Gravitt, Hardaway, Jenkins, Jernigan, Johnson, Love, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Powell, Ramsey, Reedy, Sargent, Shaw, Shepard, Stewart, Swann, Todd, Towns, Travis, Turner, White M., Wirgau, Zachary, Madam Speaker Harwell -- 46

Representatives voting no were: Akbari, Armstrong, Butt, Camper, Coley, Daniel, Dunlap, Durham, Goins, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Kane, Keisling, Lamberth, Littleton, Lollar, Matheny, Moody, Pody, Ragan, Rogers, Sanderson, Sexton J., Smith, Sparks, Van Huss, Weaver, White D., Windle -- 33

A motion to reconsider was tabled.

#### MESSAGE FROM THE SENATE

April 22, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 844; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 844** -- General Assembly, Adjournment - Adjourns 109th General Assembly sine die at close of business on April 22, 2016. by \*Norris.

#### RULES SUSPENDED

Rep. McCormick moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 844 out of order, which motion prevailed.

**Senate Joint Resolution No. 844** -- General Assembly, Adjournment - Adjourns 109th General Assembly sine die at close of business on April 22, 2016. by \*Norris.

Rep. McCormick moved to concur in Senate Joint Resolution No. 844.

#### PARLIAMENTARY INQUIRY

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Rep. Stewart inquired of the Clerk what affect the adjournment sine die would have of the Attorney General's investigation of sexual harassment. The Clerk read Senate Joint Resolution No. 844.

**RULES SUSPENDED, CONTINUED**

On motion of Rep. McCormick, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Hardaway moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 1075 out of order, which motion prevailed.

**House Joint Resolution No. 1075** -- Memorials, Interns - Jared Reynolds. by \*Hardaway, \*McCormick, \*Towns, \*Mitchell, \*Stewart.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hardaway, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Hardaway moved that the rules be suspended for the purpose of introducing House Resolution No. 312 out of order, which motion prevailed.

**House Resolution No. 312** -- Memorials, Death - Prince Rogers Nelson. by \*Hardaway, \*Towns, \*McCormick, \*Miller.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hardaway, the resolution was adopted.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**  
**April 21, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 963

The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators:

Watson, Harris, Green

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to confer with a like committee from the House in open conference to resolve the differences between the bodies on House Bill No. 963

RUSSELL A. HUMPHREY, Chief Clerk

### HOUSE ACTION ON SENATE MESSAGES

**\*House Bill No. 963** -- Insurance, Health, Accident - As introduced, enacts the "Healthcare Provider Stability Act." - Amends TCA Title 56, Chapter 7. by \*Lundberg, \*Rogers, \*DeBerry, \*Todd, \*Sexton C.

Rep. C. Sexton moved that the House adopt the Conference Committee Report on House Bill No. 963 and make it the action of the House.

### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 963

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 963 (Senate Bill No. 937) has met and recommends that that all amendments be deleted:

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-3302, is amended by deleting the entire section and substituting the following language:

(a) A health insurance carrier shall provide notice to a provider of any material change made in the sole discretion of the insurance carrier to the carrier's previously-released provider manual or a payment policy at least sixty (60) days prior to the effective date of the change, and the health insurance carrier shall ensure that any such material change is clearly identified in the following manner:

(1) Disclosing or identifying the change in the provider manual through the use of bold print or a font, or both, the bold print and a font being the same or larger size as the font generally used throughout the provider manual or payment policy;

(2) Disclosing or identifying the change in the payment policy through the use of a separately categorized communication associated with quarterly or annual updates to the provider manual or monthly newsletters; and

(3) Any disclosures required under subsections (1) or (2) may be distributed via:

(A) Compact discs or other downloadable electronic media;

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(B) An Internet web-accessible section associated with a web-accessible current version of the provider manual or payment policies; or

(C) Written communication sent via electronic mail or mailed directly to the provider.

(b) Notwithstanding any law to the contrary, nothing in this part shall apply to the TennCare program or any successor Medicaid program provided for in title 71, chapter 5; the CoverKids Act of 2006, compiled in title 71, chapter 3, part 11; the Access Tennessee Act of 2006, compiled in title 56, chapter 7, part 29; any other plan managed by the health care finance administration division of the department of finance and administration or any successor division or department; or the group insurance plans offered under title 8, chapter 27; or a contract between a health care provider and the state or federal government or their agencies for health services provided through a program for Medicare.

SECTION 2. Tennessee Code Annotated, Section 56-7-1013, is amended designating the existing language as a new subdivision (1) and by inserting the following as a new subdivision (2):

(2) "Fee schedule" means a list of maximum reimbursement amounts assigned to specific codes and used by a health insurance carrier pursuant to a contract between a health insurance carrier and a healthcare provider to calculate payments paid to the provider for therapies, procedures, materials, and other services delivered to enrollees.

and by deleting the entire subsection (c) and substituting instead the following language:

(c)

(1) A health insurance carrier shall provide notice of and identify any change to a provider's fee schedule at least ninety (90) days prior to the effective date of the change. The notice and identification required by this subdivision (c)(1) shall be sent to a dedicated email address or as otherwise stipulated in the contract between the provider and the health insurance carrier.

(2) A health insurance carrier shall not require any hospital, by contract, reimbursement or otherwise, to notify the health insurance carrier of a hospital inpatient admission within less than one (1) business day of the hospital inpatient admission if the notification or admission occurs on a weekend or federal holiday. Nothing in this subsection (c) shall affect the applicability or administration of other provisions of a contract between a hospital and health insurance carrier, including, without limitation, preauthorization requirements for scheduled inpatient admissions.

(3) This subsection (c) shall not apply to changes in standard codes and guidelines developed by the American Medical Association or a similar organization.

and by adding the following as new subsections:

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(f)

(1) Within ten (10) business days of receipt of a valid request from a provider, a health insurance carrier shall deliver to the provider at the provider's dedicated e-mail address that provider's fee schedule, free of charge, in either a partial or full version as requested by the provider; or

(2) A health insurance carrier may provide access to a provider's fee schedule on a secure web site, so that the provider may access the fee schedule at any time throughout the term of the provider's contract with the health insurance carrier. Nothing in this subdivision shall require a health insurance carrier to provide a fee schedule via a web site.

(g)

(1) No health insurance carrier shall make a change or changes to a provider's fee schedule except as follows:

(A) Up to one (1) time during a consecutive twelve-month period. After a health insurance carrier makes a change or changes to the provider's fee schedule, it is prohibited from doing so again for at least twelve (12) months following the effective date of the change or changes; or

(B) If a health insurance carrier and a hospital agree to the change or changes in writing;

(2) Subdivision (c)(1) and subsection (g) do not apply to the following changes to a fee schedule:

(A) Any change in a provider's fee schedule due to a change effected by the federal or state government to its healthcare fee schedule, if the provider and health insurance carrier have previously agreed that the provider's fee schedule is based on a percentage or some other formula of a current government healthcare fee schedule, such as Medicare;

(B) Any change in a provider's reimbursement for drugs, immunizations, injectables, supplies, or devices if the provider and health insurance carrier or pharmacy benefits manager as defined by 56-7-3102 have previously agreed that any reimbursement for drugs, immunizations, injectables, supplies, or devices will be based on a percentage, or some other formula, of a price index not established by the health insurance carrier, such as the average wholesale price or average sales price;

(C) Any changes in the provider's reimbursement for drugs, immunizations, injectables, supplies or devices if the provider and the health insurance carrier or pharmacy benefits manager as defined in 55-7-3102 have previously agreed to any reimbursement for drugs,

immunizations, injectables, supplies or devices in accordance with 56-7-3104 and based upon maximum allowable cost pricing as regulated by 56-7-3101 and 56-7-3106;

(D) Any change to Current Procedural Terminology (CPT) codes, Healthcare Common Procedure Coding System (HCPCS) codes, International Statistical Classification of Disease and Related Health Problems (ICD Codes and other coding sets recognized or used by Centers for Medicare and Medicaid Services (CMS) that a health insurance carrier utilized in creating a provider's fee schedule;

(E) Any change to revenue codes as established by the National Uniform Billing Committee (NUBC); and

(F) Any changes in a provider's fee schedule due to one (1) or more of the following if previously agreed to in a provider's agreement with a health insurance carrier:

(i) Payments made to the healthcare provider by the health insurance carrier or payments made to the health insurance carrier by the provider that are based on values or quality measures explicitly described in the written agreement between the provider and the health insurance carrier intended to improve care provided to the health insurance carrier's members;

(ii) Escalator or de-escalator clauses;

(iii) Provisions that require adjustments to payment due to population health management performance or results; or

(iv) Any arrangements, initiatives, or value-based payments relating to or resulting from the implementation or operation of the Tennessee Health Care Innovation Initiative.

(h) Nothing in this section shall apply to an enrollee's benefit package, or coverage terms and conditions, unrelated to application of fee schedules and reimbursements, including, but not limited to, provisions regarding eligibility for coverage, deductibles and copayments, coordination of benefits, and coverage limitations and exclusions.

(i) Nothing in this section shall apply to any entity that is subject to delinquency proceedings and for which the commissioner of commerce and insurance has been appointed receiver, or any entity placed under administrative supervision by order of the commissioner pursuant to the Insurers Rehabilitation and Liquidation Act, compiled in chapter 9 of this title.

(j) Nothing in this section shall apply to the TennCare program or any successor Medicaid program provided for in title 71, chapter 5; the CoverKids Act of 2006, compiled in title 71, chapter 3, part 11; the Access Tennessee Act of 2006, compiled in

title 56, chapter 7, part 29; any other plan managed by the health care finance administration division of the department of finance and administration or any successor division or department; or the group insurance plans offered under title 8, chapter 27.

(k) Notwithstanding anything in this section to the contrary, this section shall not apply to any contract amendment that is made due to a change in federal or state law.

(l) Nothing in this section shall apply to any contract between a health insurance carrier and a healthcare provider for items or services to be provided for individuals covered by any Medicare Advantage, Medicare Select, Medicare Supplement, Medicare and Medicaid Enrollees (MME), Medicare Dual Special Needs, and Medicare Private Fee for Service; or the state, local government, and local education insurance plans established under title 8, chapter 27.

(m) Notwithstanding any law to the contrary, nothing in this part shall apply to the TennCare program or any successor Medicaid program provided for in title 71, chapter 5; the CoverKids Act of 2006, compiled in title 71, chapter 3, part 11; the Access Tennessee Act of 2006, compiled in title 56, chapter 7, part 29; any other plan managed by the health care finance administration division of the department of finance and administration or any successor division or department; or the group insurance plans offered under title 8, chapter 27; or a contract between a health care provider and the state or federal government or their agencies for health services provided through a program for Medicare.

SECTION 3. This act shall take effect January 1, 2018, the public welfare requiring it, and shall apply to all contracts entered into or renewed thereafter.

/s/ Senator Bo Watson

/s/ Representative Cameron Sexton

/s/ Senator Mark Green

/s/ Representative Joe Pitts

/s/ Senator Lee Harris

Rep. Sargent moved to re-refer House Bill No. 963 to the Finance, Ways & Means Committee, which motion failed by the following vote:

Ayes .....	31
Noes.....	33

Representatives voting aye were: Alexander, Brooks H., Camper, Eldridge, Forgety, Gilmore, Halford, Hardaway, Hicks, Holt, Johnson, Jones, Kane, Keisling, Lamberth, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Sanderson, Sargent, Shaw, Smith, Stewart, Travis, Turner, Weaver, Zachary, Madam Speaker Harwell -- 31

Representatives voting no were: Beck, Carr, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Goins, Gravitt, Hill M., Hill T., Howell, Hulsey, Jenkins, Jernigan, Marsh, McCormick, McManus, Ragan, Reedy, Sexton C., Shepard, Spivey, Swann, Todd, Van Huss, White D., White M., Windle, Wirgau -- 33

Rep. Marsh moved the previous question on the Conference Committee Report on House Bill No. 963, which motion prevailed.

Rep. C. Sexton moved that the House adopt the Conference Committee Report on **House Bill No. 963** and make it the action of the House, which motion failed by the following vote:

Ayes .....	45
Noes.....	23
Present and not voting.....	4

Representatives voting aye were: Beck, Brooks H., Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunn, Goins, Gravitt, Hardaway, Hill M., Hill T., Howell, Hulsey, Jenkins, Jernigan, Jones, Lollar, Marsh, Matheny, McCormick, McManus, Miller, Mitchell, Moody, Pitts, Pody, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Sparks, Swann, Todd, Towns, Turner, Van Huss, Weaver, Wirgau -- 45

Representatives voting no were: Akbari, Armstrong, Calfee, Carr, Eldridge, Forgety, Gilmore, Halford, Hicks, Holt, Johnson, Kane, Keisling, McDaniel, Parkinson, Powell, Sanderson, Sargent, Smith, Travis, White D., Windle, Zachary -- 23

Representatives present and not voting were: Alexander, Fitzhugh, Stewart, White M. -- 4

A motion to reconsider was tabled.

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Todd voted "aye" on the motion to adopt Conference Committee Report on **House Bill No. 963**.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "no" on the motion to adopt Conference Committee Report on **House Bill No. 963** and have this statement entered in the Journal: Rep. Stewart.

### SELECT COMMITTEE APPOINTMENTS

Representative McCormick moved that the Speaker appoint a committee to notify the Senate that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die.

The Speaker announced that she had appointed the following committee to notify the Senate that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die: Representative Spivey, Casada, Alexander, Jernigan and Ragan. Representative Ragan served as the Chair of this Committee.

Representative McCormick moved that the Speaker appoint a committee to notify the

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

## **FRIDAY, APRIL 22, 2016 – SIXTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Governor that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die.

The Speaker announced that she had appointed the following committee to notify the Governor that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die: Representatives Shepard, McCormick, Jenkins, Fitzhugh and Marsh. Representative Shepard served as the Chair of this Committee.

### **MESSAGE FROM THE SENATE April 22, 2016**

MADAM SPEAKER: I am directed by the Senate to notify the House the Senate has completed its business and is ready to adjourn sine die in accordance with Senate Joint Resolution No. 844.

RUSSELL A. HUMPHREY, Chief Clerk

### **SENATE READY TO ADJOURN**

Senator Doug Overbey notified the House that the Senate had completed its business and was ready to adjourn sine die.

### **REPORTS OF SELECT COMMITTEES**

Rep. Ragan advised the House that the Senate had been notified that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die.

Rep. Shepard advised the House that the Governor had been notified that the House has completed its business or the Second Regular Session and is ready to adjourn Sine Die.

### **JOURNAL APPROVED**

On motion of Rep. McCormick, the Journal of the House of Representatives and the proceedings thereof were approved from the Twenty-Ninth through the Sixty-Fifth Legislative Day of the Second Regular Session.

### **ENROLLED BILLS April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1164, 1252, 1424, 1523, 1524, 1554, 1638, 1656, 1837, 1843, 2032, 2102, 2107, 2122, 2145, 2374, 2425, 2514, 2576, 2579, 2594, 2633, 2645, 2662 and 2665; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

### **ENROLLED BILLS 4248**

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 1879; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 22, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 35, 408, 556, 593, 637, 750, 899, 1317, 1447, 1466, 1580, 1596, 1665, 1682, 1730, 1738, 1775, 1842, 1848, 1979, 2051, 2239, 2376, 2383, 2424, 2469, 2533, 2539 and 2582; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS**

**April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 514, 529, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1069 and 1070; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 22, 2016**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 514, 529, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1069 and 1070.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 22, 2016**

The Speaker announced that she had signed the following: Senate Bills Nos. 35, 408, 556, 593, 637, 750, 899, 1317, 1447, 1466, 1580, 1596, 1665, 1682, 1730, 1738, 1775, 1842, 1848, 1979, 2051 and 2239.

JOE MCCORD, Chief Clerk



**SIGNED  
April 22, 2016**

The Speaker announced that she had signed the following: Senate Bills Nos. 2376, 2383, 2424, 2469, 2533, 2539 and 2582.

JOE MCCORD, Chief Clerk

**SIGNED  
April 22, 2016**

The Speaker announced that she had signed the following: House Bills Nos. 1164, 1252, 1424, 1523, 1524, 1554, 1638, 1656, 1837, 1843, 1879, 2032, 2102, 2107, 2122, 2145, 2374, 2425, 2514, 2576, 2579, 2594, 2633, 2645, 2662 and 2665.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 22, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 2692 and 2691; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 2692** -- Gallatin - As introduced, subject to local approval, prohibits mayor, district alderman, or alderman-at-large from serving a subsequent term in the same office if such person has served more than 1/2 of a four-year term and a consecutive complete four-year term in that particular office. - Amends Chapter 67 of the Private Acts of 1953; as amended. by \*Haile. (\*HB2667 by \*Weaver)

**\*Senate Bill No. 2691** -- Hardeman County - As introduced, subject to local approval, requires nonpartisan elections for county office. by \*Gresham. (HB2666 by \*Jenkins)

**MESSAGE FROM THE SENATE  
April 22, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 396, 777, 1342, 1558, 1800, 2190, 2249, 2364 and 2586; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 22, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1164, 1252, 1424, 1523, 1524, 1554, 1638, 1656, 1837, 1843, 1879, 2032, 2102, 2107, 2122, 2145, 2374, 2425, 2514, 2576, 2579, 2594, 2633, 2645, 2662 and 2665; signed by the Speaker.

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RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**  
**April 22, 2016**

The Speaker announced that she had signed the following: Senate Bills Nos. 396, 777, 1342, 1558, 1800, 2190, 2249, 2364 and 2586.

JOE MCCORD, Chief Clerk

**ENROLLED BILLS**  
**April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 516, 528, 663, 758, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067 and 1068; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**April 22, 2016**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 516, 528, 663, 758, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067 and 1068.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS**  
**April 22, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 1072 and 1075.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK**  
**April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1164, 1252, 1424, 1523, 1524, 1554, 1638, 1656, 1837, 1843, 1879, 2032, 2102, 2107, 2122, 2145, 2374, 2425, 2514, 2576, 2579, 2594, 2633, 2645, 2662 and 2665; for his action.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR**

**April 22, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 675, 890, 891, 892, 893, 894, 895, 896, 897, 898, 900, 901, 902, 903, 905, 906, 907, 908, 909, 910, 911, 912, 913, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939 and 940; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**

**April 22, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 904, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987 and 988; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**ENROLLED BILLS**

**April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1476, 1527, 2117, 2144, 2248 and 2530; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**

**April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 255, 301, 726, 879, 978, 985, 1270, 1413, 1427, 1511, 1977, 2087, 2119, 2342, 2343, 2399 and 2663; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 22, 2016**

**FRIDAY, APRIL 22, 2016 – SIXTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

The Speaker announced that she had signed the following: House Bills Nos. 255, 301, 726, 879, 978, 985, 1270, 1413, 1427, 1511, 1977, 2087, 2119, 2342, 2343, 2399 and 2663.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
April 22, 2016**

The Speaker announced that she had signed the following: House Bills Nos. 1476, 1527, 2117, 2144, 2248 and 2530.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 22, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1072 and 1075; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS  
April 22, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 1072 and 1075; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
April 22, 2016**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 1072 and 1075.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 22, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1072 and 1075; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS  
April 22, 2016**

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**FRIDAY, APRIL 22, 2016 – SIXTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 306, 307, 308, 309, 310, 311 and 312; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**April 22, 2016**

The Speaker announced that she had signed the following: House Resolutions Nos. 306, 307, 308, 309, 310, 311 and 312.

GREG GLASS, Chief Engrossing Clerk

**COMMUNICATION**  
**April 22, 2016**

The Honorable Ron Ramsey  
Lieutenant Governor and Speaker of the Senate  
Suite 1, Legislative Plaza  
301 6th Avenue North  
Nashville, TN 37243

RE: Senate Bill 1830/House Bill 1892

Lieutenant Governor Ramsey:

I am letting Senate Bill 1830 become law without my signature.

I have concerns about the potential impacts of this legislation and the limits it places on the State's ability to protect our water resources adequately. In addition, the bill imposes on local governments a cumbersome procedural mechanism that will cause confusion for those communities as they seek to implement required storm water pollutant removal programs. I am concerned that some of the ambiguous and confusing language in the bill could lead to costly litigation. As Governor, I am a strong proponent of economic growth and development, but I am equally committed to ensuring that we protect Tennessee's air, land and water resources for today and for future generations of Tennesseans.

Respectfully,

/s/ Bill Haslam

cc: The Honorable Beth Harwell, Speaker of the House

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**MOTION TO ADJOURN**

Rep. McCormick moved that pursuant to **Senate Joint Resolution No. 844**, the House of Representatives of the 109th General Assembly adjourn, sine die.

**SINE DIE ADJOURNMENT**

Thereupon, in accordance with **Senate Joint Resolution No. 844**, Madam Speaker Harwell declared the House of Representatives of the 109th General Assembly adjourned, sine die.

Beth Harwell, Speaker,  
House of Representatives

ATTEST:

JOE McCORD, Chief Clerk,  
House of Representatives.

**MESSAGE FROM THE SENATE**  
**April 25, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 514, 516, 528, 529, 663, 758, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069 and 1070; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK**  
**April 25, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 514, 516, 528, 529, 663, 758, 990, 991, 992, 993, 994, 995, 996, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1072 and 1075; for his action.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 26, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 88, 460, 467, 730, 731, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 832 and 840; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**

**April 26, 2016**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 88, 460, 467, 730, 731, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 832 and 840.

JOE MCCORD, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 26, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 562, 676, 678, 809, 812, 813, 814, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 833, 834, 835, 836, 837, 838, 839 and 841; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**

**April 26, 2016**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 562, 676, 678, 809, 812, 813, 814, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 833, 834, 835, 836, 837, 838, 839 and 841.

JOE MCCORD, Chief Clerk

**COMMUNICATION**

**April 26, 2016**

Shannon Duncan  
Tullahoma High School  
927 North Jackson Street  
Tullahoma, TN 37388

Re: Standards Recommendation Committee - Social Studies

Dear Ms. Duncan:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 49-1-313, I am appointing you to serve as a member of the Standards Recommendation Committee - Social Studies. Your term commences immediately and will expire on January 10, 2017.

I am forwarding a copy of this letter to Dr. Sara Heyburn, Executive Director of Tennessee State Board of Education. Dr. Heyburn's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey  
Dr. Sara Heyburn – Tennessee State Board of Education  
Cody York, 8th Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Karen Garrett  
Doug Himes  
Tammy Letzler

**COMMUNICATION**

**April 26, 2016**

Louis J. Gallo  
901 Wesley Road  
Knoxville, TN 37909

Re: Standards Recommendation Committee - Social Studies

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**FRIDAY, APRIL 22, 2016 – SIXTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Dear Mr. Gallo:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 49-1-313, I am appointing you to serve as a member of the Standards Recommendation Committee - Social Studies. Your term commences immediately and will expire on January 10, 2017.

I am forwarding a copy of this letter to Dr. Sara Heyburn, Executive Director of Tennessee State Board of Education. Dr. Heyburn's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey  
Dr. Sara Heyburn – Tennessee State Board of Education  
Cody York, 8th Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Karen Garrett  
Doug Himes  
Tammy Letzler

**MESSAGE FROM THE GOVERNOR**

**April 27, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 464, 1244, 1276, 1478, 1503, 1544, 1666, 1691, 1712, 1913, 2116, 2240, 2376, 2406, 2411, 2473, 2639, 2648, 2652, 2654, 2655, 2658, 2659, 2660 and 2661; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**

**April 27, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 514, 516, 663, 758, 990, 991, 992, 993, 994, 995, 996, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016,

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1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1072 and 1075; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**  
**April 27, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 1164, 1252, 1424, 1523, 1524, 1554, 1638, 1656, 1837, 1843, 1879, 2032, 2102, 2107, 2064, 2122, 2145, 2374, 2425, 2514, 2576, 2579, 2594, 2633, 2645, 2662 and 2665; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**COMMUNICATION**  
**April 27, 2016**

Rep. Brenda Gilmore  
26 Legislative Plaza  
Nashville, TN 37243

Re: Southern Regional Education Board

Dear Rep. Gilmore:

SREB's 65<sup>th</sup> Annual Legislative Work Conference will be held this year from Saturday afternoon, June 25, through lunch on Monday, June 27, 2016, at the Marriott Hotel in Little Rock, Arkansas. This conference has been called "America's best education work session for legislators."

Legislative leaders will participate in sessions on topics that are on many 2015 legislative agendas:

- Educator Effectiveness
- College and Career Readiness
- State Progress on SREB's Challenge 2020 Goals for Education
- College Affordability and Completion

As Speaker of the House, I am requesting you to represent our state as a delegate to the 65<sup>th</sup> Annual SREB Legislative Work Conference. I am confident that you will continue to represent Tennessee with the high standard of professionalism, dedication and integrity that the citizens deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Governor Asa Hutchinson, Chair, Southern Regional Education Board  
David Spence, President – SREB  
Lt. Gov. Ron Ramsey  
Cody York, 8<sup>th</sup> Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Joseph A. Barnes  
Tammy Letzler

**COMMUNICATION**  
**April 27, 2016**

Rep. Mark White  
217 War Memorial Building  
Nashville, TN 37243

Re: Southern Regional Education Board

Dear Rep. White:

SREB's 65<sup>th</sup> Annual Legislative Work Conference will be held this year from Saturday afternoon, June 25, through lunch on Monday, June 27, 2016, at the Marriott Hotel in Little Rock, Arkansas. This conference has been called "America's best education work session for legislators."

Legislative leaders will participate in sessions on topics that are on many 2015 legislative agendas:

- Educator Effectiveness
- College and Career Readiness
- State Progress on SREB's Challenge 2020 Goals for Education
- College Affordability and Completion

As Speaker of the House, I am requesting you to represent our state as a delegate to the 65<sup>th</sup> Annual SREB Legislative Work Conference. I am confident that you will continue to represent Tennessee with the high standard of professionalism, dedication and integrity that the citizens deserve and expect of their public servants.

BestWishes,

/s/ Speaker Beth Harwell

cc: Governor Asa Hutchinson, Chair, Southern Regional Education Board  
David Spence, President – SREB  
Lt. Gov. Ron Ramsey  
Cody York, 8<sup>th</sup> Floor, Snodgrass Tower

Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Joseph A. Barnes  
Tammy Letzler

**COMMUNICATION**  
**April 27, 2016**

Rep. Harry Brooks  
117 War Memorial Building  
Nashville, TN 37243

Re: Southern Regional Education Board

Dear Rep. Brooks:

SREB's 65<sup>th</sup> Annual Legislative Work Conference will be held this year from Saturday afternoon, June 25, through lunch on Monday, June 27, 2016, at the Marriott Hotel in Little Rock, Arkansas. This conference has been called "America's best education work session for legislators."

Legislative leaders will participate in sessions on topics that are on many 2015 legislative agendas:

- Educator Effectiveness
- College and Career Readiness
- State Progress on SREB's Challenge 2020 Goals for Education
- College Affordability and Completion

As Speaker of the House, I am requesting you to represent our state as a delegate to the 65<sup>th</sup> Annual SREB Legislative Work Conference. I am confident that you will continue to represent Tennessee with the high standard of professionalism, dedication and integrity that the citizens deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Governor Asa Hutchinson, Chair, Southern Regional Education Board  
David Spence, President – SREB  
Lt. Gov. Ron Ramsey  
Cody York, 8<sup>th</sup> Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Joseph A. Barnes  
Tammy Letzler

**COMMUNICATION**

4261

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**April 27, 2016**

Rep. Kevin Brooks  
103 War Memorial Building  
Nashville, TN 37243

Re: Southern Regional Education Board

Dear Rep. Brooks:

SREB's 65<sup>th</sup> Annual Legislative Work Conference will be held this year from Saturday afternoon, June 25, through lunch on Monday, June 27, 2016, at the Marriott Hotel in Little Rock, Arkansas. This conference has been called "America's best education work session for legislators."

Legislative leaders will participate in sessions on topics that are on many 2015 legislative agendas:

- Educator Effectiveness
- College and Career Readiness
- State Progress on SREB's Challenge 2020 Goals for Education
- College Affordability and Completion

As Speaker of the House, I am requesting you to represent our state as a delegate to the 65<sup>th</sup> Annual SREB Legislative Work Conference. I am confident that you will continue to represent Tennessee with the high standard of professionalism, dedication and integrity that the citizens deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Governor Asa Hutchinson, Chair, Southern Regional Education Board  
David Spence, President – SREB  
Lt. Gov. Ron Ramsey  
Cody York, 8<sup>th</sup> Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Joseph A. Barnes  
Tammy Letzler

#### **CLERK'S NOTE TO THE JOURNAL**

The Resource Map of Expenditure for Tennessee Children, Tennessee Commission on Children and Youth Annual Report, the Board of Judicial Conduct Monthly Report for March, have been filed with the Clerk's Office and are available for review.

4262

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**COMMUNICATION**  
**April 28, 2016**

Harold Graeter  
3767 New Getwell Road  
Memphis, TN 38118

Re: Tennessee Sports Hall of Fame Board

Dear Mr. Graeter:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 4-3-5403(a), I am reappointing you to serve as a member of the Tennessee Sports Hall of Fame Board of Directors representing West Tennessee. Your term commences immediately and will expire on February 28, 2022.

I am forwarding a copy of this letter to Dr. Bill Emendorfer, Executive Director Tennessee Sports Hall of Fame. His office will be contacting you in the near future regarding this appointment.

I am confident that you will continue to perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey  
Dr. Bill Emendorfer, Executive Director - Tennessee Sports Hall of Fame  
Cody York, 8th Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Karen Garrett  
Doug Himes  
Tammy Letzler

**COMMUNICATION**  
**April 28, 2016**

Lisa Campbell  
1206 Chickering Road  
Nashville, TN 37215

Re: Tennessee Sports Hall of Fame Board

Dear Ms. Campbell:

4263

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 4-3-5403(a), I am appointing you to serve as a member of the Tennessee Sports Hall of Fame Board of Directors representing Middle Tennessee. You will be serving the balance of the term recently vacated by Ken Blackburn. Your term commences immediately and will expire on February 28, 2019.

I am forwarding a copy of this letter to Dr. Bill Emendorfer, Executive Director Tennessee Sports Hall of Fame. His office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey  
Dr. Bill Emendorfer, Executive Director - Tennessee Sports Hall of Fame  
Cody York, 8th Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Karen Garrett  
Doug Himes  
Tammy Letzler

**MESSAGE FROM THE GOVERNOR**

**April 28, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 528 and 529; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**

**April 28, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 577, 1543, 1634, 1690, 1776, 1911, 1981, 2045, 2079, 2193, 2228, 2570, 2574, 2638 and 2664; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE SENATE  
May 9, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 47, 1796 and 2481; and Senate Joint Resolution No. 844; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
May 9, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 255, 301, 726, 879, 978, 985, 1270, 1413, 1427, 1476, 1511, 1527, 1977, 2087, 2117, 2119, 2144, 2248, 2342, 2343, 2399, 2530 and 2663; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
May 9, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 255, 301, 726, 879, 978, 985, 1270, 1413, 1427, 1476, 1511, 1527, 1977, 2087, 2117, 2119, 2144, 2248, 2342, 2343, 2399, 2530 and 2663; for his action.

GREG GLASS, Chief Engrossing Clerk